

CITY OF MONTPELIER, STATE OF IDAHO**ORDINANCE No. 604**

AN ORDINANCE OF THE CITY OF MONTPELIER A MUNICIPAL CORPORATION OF IDAHO, ANNEXING AND ZONING A PARCEL OF LAND LOCATED NORTH OF THE MONTPELIER INDUSTRIAL PARK OWNED BY TRIAD RESORTS, SAID LAND BEING MORE GENERALLY DESCRIBED AS SET FORTH IN ATTACHED EXHIBIT "A".

ALSO: PROVIDING FOR THE CITY CLERK TO FILE A CERTIFIED COPY OF THIS ORDINANCE WITH THE IDAHO STATE TAX COMMISSION AND WITH THE BEAR LAKE COUNTY AUDITOR, TREASURER, AND ASSESSOR IN ACCORDANCE WITH IDAHO CODE §§ 50-223 AND 63-215;

ALSO: PROVIDING FOR SAID LAND TO BE ZONED M-2, HEAVY MANUFACTURING ; AND PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW, THE RULE REQUIRING THAT AN ORDINANCE BE READ ON THREE SEPARATE OCCASIONS HAVING BEEN DISPENSED WITH.

WHEREAS, there are certain lands lying contiguous and/or adjacent to the City of Montpelier, subject to annexation in accordance with the provisions of Idaho Code §50-222; and

WHEREAS, the City, as owner of the lands, has applied for annexation of these lands, a public hearing was held on April 24, 2008, before the Montpelier Planning and Zoning Commission, and a recommendation dated April 24, 2008, was made to the City Council to annex and zone the lands; and

WHEREAS, the City Council has determined that it is in the best interest of the City of Montpelier and the residents thereof that the said lands heretofore described in this title and hereinafter described in this ordinance be annexed to the City of Montpelier and be simultaneously zoned;

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF MONTPELIER, STATE OF IDAHO AS FOLLOWS:

Section 1: That the land described in Exhibit "A" attached hereto and made a part hereof by reference, and as depicted on the map attached hereto and made a part hereof, be hereby annexed and made a part of the City of Montpelier, a municipal corporation of Idaho.

Section 2: That the land described in this ordinance described be hereby zoned M-2 Heavy Manufacturing in its entirety, and that the official zoning map adopted by the City of Montpelier be hereby amended to incorporate the land annexed herein, and to depict the zone

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herein established upon said land.

Section 3: That immediately after the passage, approval, and publication of this ordinance according to law, the City Clerk is hereby directed to file with the Bear Lake County Auditor, Treasurer, and Assessor, and with the Idaho State Tax Commission, a certified copy of this ordinance.

Section 4: That upon the passage, approval, and publication of this ordinance according to law, the incorporated limits of the City of Montpelier shall extend to and include the lands hereinabove described and thereafter all property and persons within the limits of the lands herein annexed shall be subject to all of the provisions of the laws of the City of Montpelier and to the police regulations thereof.

Section 5: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

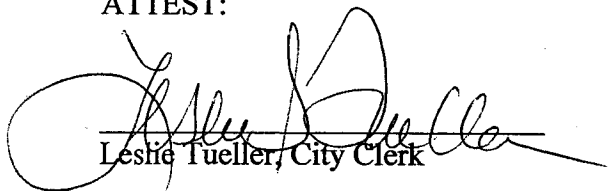
Section 6: One half (1/2) plus one (1) of the members of the full council agree to dispense with the rule requiring the reading of this ordinance on three (3) separate occasions.

Section 7: Severability: If any portion of this ordinance is determined by a Court of competent jurisdiction to be invalid or unenforceable, all other provisions of this ordinance shall remain in full force and effect.

PASSED AND APPROVED by the Mayor and the City Council of the City of Montpelier, Bear Lake County, Idaho, this 7th day of May, 2008.


Reed Peterson, Mayor

ATTEST:


Leslie Tueller, City Clerk

PUBLISHED:

Instrument # 201444

BEAR LAKE COUNTY

2008-05-19

10:47:53 No. of Pages: 4

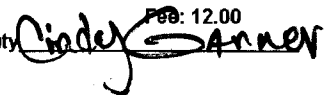
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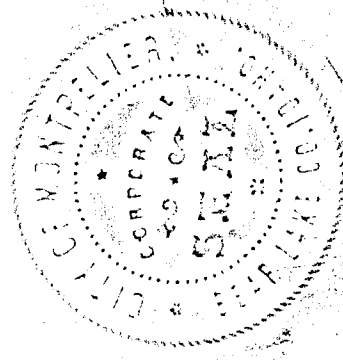
KERRY HADDOCK

Ex-Officio Recorder Deputy

Index to: ORDINANCE

Fee: 12.00





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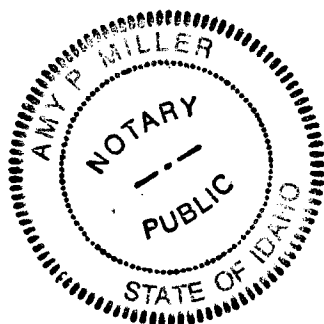
STATE OF IDAHO)


) ss.

COUNTY OF BEAR LAKE)

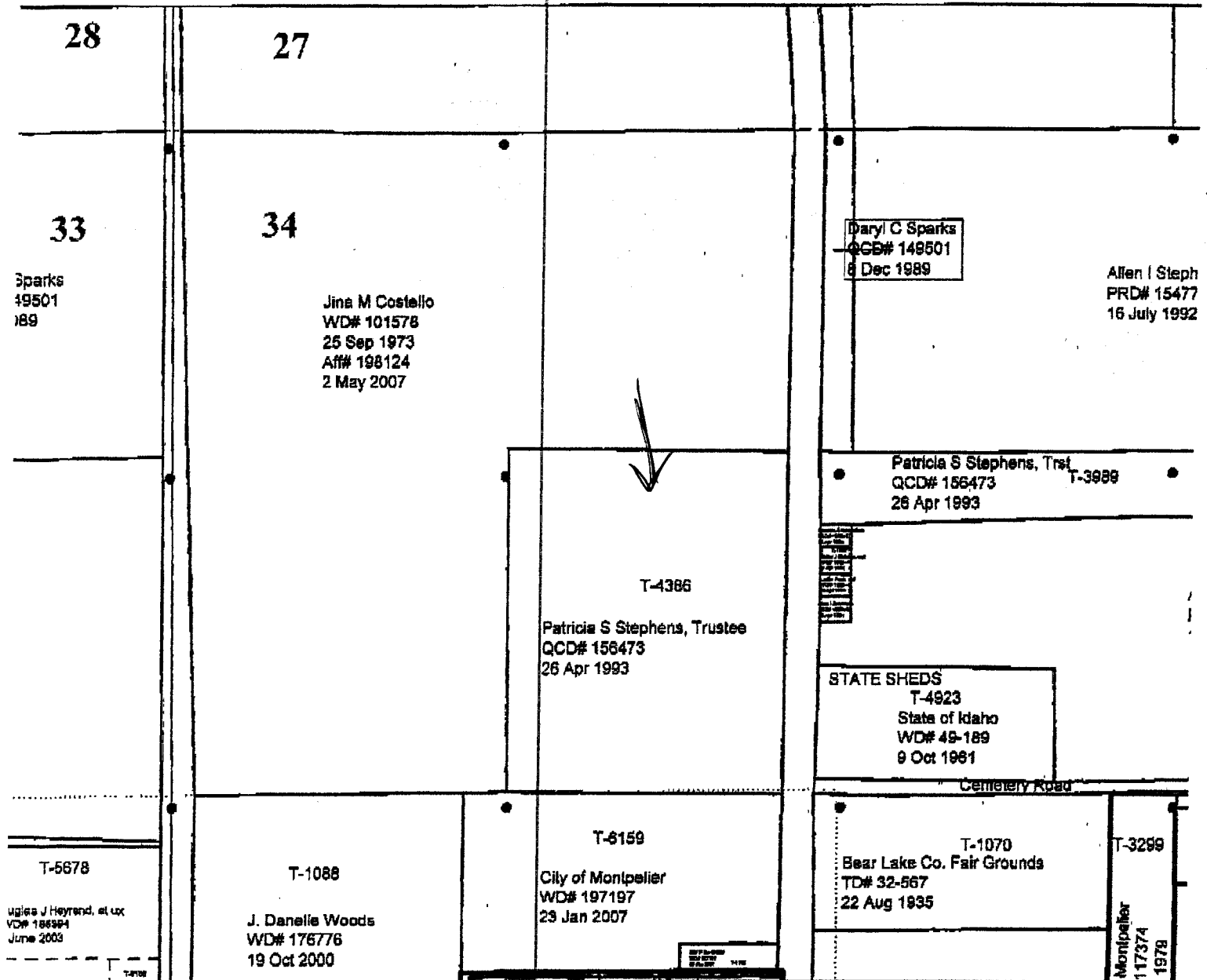
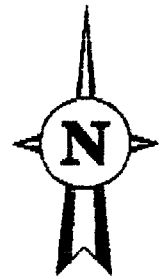
On this 1st day of May, 2008, before me, the undersigned, a Notary Public for the State, personally appeared Reed Peterson and Leslie Tueller, known to me to be the Mayor and City Clerk, respectively, of the City of Montpelier, and acknowledged to me that they executed the foregoing instrument for and on behalf of said municipal corporation and that said municipal corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the date and year in this certificate first above written.




 NOTARY PUBLIC FOR IDAHO
 Residing in Montpelier, Idaho
 My commission expires: 11.24.2010

201444



This sketch is provided without charge for your information, it is not intended to show all matters related to the property including, but not limited to area dimensions, encroachments, or location of boundaries. It is not a part of, nor does it modify the commitment or policy to which it is attached. The Company assumes NO LIABILITY for any matter related to this sketch. References should be made to an accurate survey for further information.*

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EXHIBIT A

Beginning at the Southwest Corner of the Southeast Quarter of the Northwest Quarter of Section 34, Township 12, Range 44 East of the Boise Meridian, Idaho, and running thence North 80 rods; thence East to the County Road (which is about 13 rods West of the center of said Section 34); thence South along West side of said road 80 rods; thence West to the place of beginning, SAVE AND EXCEPT that portion of the above described land heretofore deeded to the State of Idaho for highway purposes as shown by deed recorded in book 47 of Deeds, at Page 3, of the records of Bear Lake County, Idaho.

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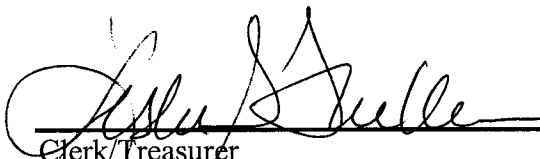
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STATE OF IDAHO
COUNTY OF BEAR LAKE SS

I, Leslie S. Tueller, Clerk and Treasurer of the City of Montpelier, do hereby certify that the within and foregoing is a full, true and correct copy of the original Ordinance No. 604 as the same that appears on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of this office at Montpelier, Idaho, this 21st day of May, 2008.



Clerk/Treasurer
City of Montpelier

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